

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

LANCE EARL ROSE,
Plaintiff,

No. C 08-041 MHP (pr)

ORDER OF DISMISSAL

v.

BUTTE COUNTY JAIL,
Defendant.

This pro se civil action was filed on January 4, 2008, at which time the court notified plaintiff in writing that the action was deficient due to the failure to pay the filing fee or furnish a completed and signed court-approved in forma pauperis application. Plaintiff was advised that failure to pay the fee or file the application materials within thirty days would result in dismissal of the action. Mail sent to him was returned undelivered. Plaintiff has not paid the filing fee or filed the materials (i.e., an inmate trust account statement and certificate of funds) needed to complete the in forma pauperis application. The in forma pauperis application therefore is DENIED (Docket # 2) and the action is DISMISSED without prejudice for failure to pay the filing fee or submit a completed in forma pauperis application. Plaintiff may file a new action, but should include a filing fee or an in forma pauperis application with a new complaint to commence that new action. The clerk shall close the file.

IT IS SO ORDERED.

DATED: April 9, 2008


Marilyn Hall Patel
United States District Judge